

DECLARATION**SOLE INVENTOR
ORIGINAL**

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PINCERS FOR MOVING FLEXIBLE STRAND MATERIAL

as described in the specification [] attached or [X] of patent Application Serial No. 09/445,974, filed: December 15, 1999 and amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

(1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:

(i) opposing an argument of unpatentability relied on by the Office, or

(ii) asserting an argument of patentability.

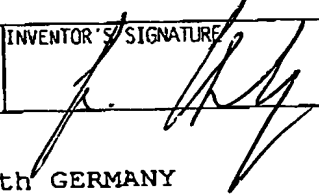
I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
Germany	197 25 364.4	June 16, 1997	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

National Patent Application No. PCT/EP98/02667, filed 06 May 1998

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR JOSEF HASBERG	INVENTOR'S SIGNATURE 	DATE 31.3.2000
RESIDENCE Lokenbach 8, D-51491, Overath GERMANY		CITIZENSHIP
POST OFFICE ADDRESS Same as above		
FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE

Applicant or Patentee:
Serial or Patent No.:
Filing Date:
For:

Josef Hasberg
09/445,974 (PCT/ EP98/02667)
December 15, 1999
PINCERS FOR MOVING FLEXIBLE STRAND MATERIAL

Attorney's Docket No.: 016273-00120

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN KATIMEX CIELKER GMBH
ADDRESS OF CONCERN Bahnhofstrasse 50, D-54584 Jünkerath, GERMANY

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PINCERS FOR MOVING FLEXIBLE STRAND MATERIAL by inventor(s) Josef Hasberg described in

- ☐ the specification filed herewith
☒ application serial no. 09/455,974 Filed: December 15, 1999
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME
ADDRESS
ORGANIZATION ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT

NAME
ADDRESS
ORGANIZATION ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Werner Bauer

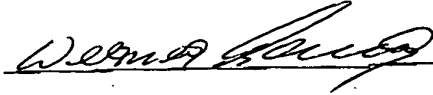
TITLE OF PERSON OTHER THAN OWNER:

Geschäftsführer

ADDRESS OF PERSON SIGNING

Bismarckstr. 1, 5472 Wiesbaden

SIGNATURE:



DATE:

2.4.2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant/Patentee:

JOSEF HASBERG

Filed: Decemember 15, 1999

Serial No.: 09/445,974

For: **PINCERS FOR MOVING
FLEXIBLE STRAND MATERIAL**

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Group Art Unit:

Examiner:

Attorney Docket No.: 016273-00120

POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. §§ 3.71 and 3.73(b), the undersigned assignee of record of the entire right, title, and interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):

☒ Concurrently Herewith
☐ Date Recorded _____
☐ Reel _____ Frame _____

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the named inventor(s) of previous assignee(s). The undersigned hereby declares that he is an officer of Assignee, **KATIMEX CIELKER GMBH**, and has reviewed the above-referenced assignment and hereby declares that, to the best of his knowledge, title is in the Assignee, **KATIMEX CIELKER GMBH**., and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true. The Assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application, maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

John Wilson Jones, Reg. No. 31,380;
Paul C. Van Slyke, Reg. No. 24,450;
Steven S. Boyd, Reg. No. 42,353; and
Philip T. Golden, Reg. No. 37,631.

Please direct all communications to: **LOCKE LIDDELL & SAPP, LLP**,
600 Travis, Suite 3400, Houston, Texas 77002-3004, (713) 226-1200, FAX:
(713) 223-3717, to the attention of: IPT Docket Manager-34th Floor. Please
direct all telephone calls to John Wilson Jones @ 713-226-1142.

KATIMEX CIELKER GMBH

Date: 3. 4. 2000

BY:

Name:

Title:

PATENTS ONLY PATENT AND TRADEMARK OFFICE

the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

Name of conveying party(ies):

Josef Hasberg

2. Name and address of receiving party(ies):

Name: Katimex Cielker GMBH

Street Address:

Bahnhofstrasse 50

D-54584 Jünkerath

GERMANY

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

City: State: Zip:

Additional name(s) & address(es) attached? ☐ Yes ☒ No

Execution Date:

Application number(s) or patent number(s): 09/445,974

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

Germany 197 25 364.4

Additional numbers attached? ☐ Yes ☒ No

Name and address of party to whom correspondence concerning document should be mailed:

Name: Attn: IPT Docket Manager,
34th Floor

Firm Address:

Locke Liddell & Sapp LLP

Street Address:

100 Travis Suite 3400

City: Houston State: TX Zip: 77002-3095

DO NOT USE THIS SPACE

1

6. Total number of applications and patents involved:.....

7. Total fee (37 C.F.R. 3.41)

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

12-1322 (016273-00120)

(DO NOT attach duplicate copy of this page even if paying by deposit account)

Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John Wilson Jones

Sponsoring

Signature

Date

Name of Person

Total number of pages including cover sheet, attachments and document:

ASSIGNMENT

Attorney Docket No. 016273-00120

WHEREAS, I, **JOSEF HASBERG**, am the sole inventor of **Pincers for Moving Flexible Strand Material**, application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, **KATIMEX CIELKER GMBH**, a corporation created and existing under and by virtue of the laws of Germany, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by **KATIMEX CIELKER GMBH** and for other good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to **KATIMEX CIELKER GMBH**, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by **KATIMEX CIELKER GMBH** for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And I hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to **KATIMEX CIELKER GMBH**, as assignee of our entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

And I further hereby covenant and agree that I will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to **KATIMEX CIELKER GMBH**, its successors, assigns, or other legal representatives and that if **KATIMEX CIELKER GMBH**, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And I do further covenant and agree that I will, at any time upon request, communicate to **KATIMEX CIELKER GMBH**, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS ___ day of 31. 3, 2000.



JOSEF HASBERG